

REMARKS

The Office Action dated May 17, 2005, has been received and carefully considered. In this response, claims 12, 13, 16, 18-21, 23, 25 and 26 have been amended. Entry of the amendments to the claims 12, 13, 16, 18-21, 23, 25 and 26 is respectfully requested. Reconsideration of the outstanding objections/rejections in the present application is also respectfully requested based on the following remarks.

Applicants note with appreciation the indication on page 5 of the Office Action that claims 1-15 and 20-26 are allowed.

Applicants note with equal appreciation the indication on page 5 of the Office Action that claims 17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have opted to defer rewriting the above-identified claims in independent form pending reconsideration of the arguments presented below with respect to the rejected independent claims.

I. THE OBJECTION TO 12, 13, 18-21, 23, 25 AND 26

On page 2 of the Office Action, 12, 13, 18-21, 23, 25 and 26 were objected to for various informalities.

Applicant has amended each of claims 12, 13, 18-21, 23, 25 and 26 as suggested by the Examiner.

In view of the foregoing, it is respectfully requested that the aforementioned objection to 2, 13, 18-21, 23, 25 and 26 be withdrawn.

II. THE OBVIOUSNESS REJECTION OF CLAIMS 16, 18 AND 19

On page 3 of the Office Action, claims 16, 18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Pendarakis et al. ("Routing Information Exchange in Optical Networks," 28 October 2000, <http://www.watersprings.org/pub/id/draft-prs-optical-routing-00.txt>) in view of Moy ("OSPF Version 2," April 1998, <http://www.faqs.org/ftp/rfc/pdf/rfc2328.txt.pdf>). This rejection is hereby respectfully traversed.

As stated in MPEP § 2143, to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both

be found in the prior art, not in applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Applicant has amended independent claim 16 to incorporate the recitation "wherein checking the flooding domain information comprises checking an optical UNI interface type, an optical interface descriptor, and available bandwidth." Applicant respectfully submits that none of the cited references teach or suggest such a feature or functionality. Pendarakis, for example, fails to disclose, as conceded by the Examiner, "means for checking an optical interface descriptor and an administrative domain to determine whether to broadcast or block propagation of the link state advertisement, wherein checking the administrative domain comprises checking an optical UNI interface type, an optical interface descriptor, and available bandwidth."

Similarly, Moy -- as demonstrated by the excerpt cited by the Examiner -- merely teaches an "Interface Data Structure" which is described as follows:

An OSPF interface can be considered to belong to the area that contains the attached network. All routing protocol packets originated by the router over this interface are labeled with the interface's Area ID. One or more router adjacencies may develop over an interface. A router's LSAs reflect the state of its interfaces and their associated adjacencies.

See Moy, Section 9.

Applicant respectfully submits that Moy -- as evidenced by the above excerpt -- fails to teach or suggest any feature or functionality comprising "means for checking an optical interface descriptor and an administrative domain to determine whether to broadcast or block propagation of the link state advertisement, wherein checking the administrative domain comprises checking an optical UNI interface type, an optical interface descriptor, and available bandwidth." Rather, Applicant respectfully submits that Moy merely discloses a relationship between an OSPF interface and a given area. However, Applicant respectfully submits that such a disclosure does not teach or suggest the specific recitations added to claim 16 by this Amendment. Thus, Applicant respectfully submits that claim 16 is allowable over the art of record.

Claims 18 and 19 are dependent upon independent claim 16. Thus, since independent claim 16 should be allowable as discussed above, claims 18 and 19 should also be allowable at least by virtue of their dependency on independent claim 16. Moreover, these claims recite additional features which are not claimed, disclosed, or even suggested by the cited references taken either alone or in combination. For example, claim 18 recites wherein the wavelength distribution protocol further comprises means for receiving a constraint-based path from the

wavelength routing protocol. Applicant respectfully submits that none of the cited references -- alone or in combination -- teach or suggest the system of claim 16 wherein the wavelength distribution protocol further comprises means for receiving a constraint-based path from the wavelength routing protocol, as set forth in claim 18.

In view of the foregoing, it is respectfully requested that the aforementioned obviousness rejection of claims 16, 18 and 19 be withdrawn.

III. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to

Patent Application
Attorney Docket No.57983.000037
Client Reference No.13527ROUS01U

Deposit Account No. 50-0206, and please credit any excess fees
to the same deposit account.

Respectfully submitted,

Hunton & Williams LLP

By: 

Thomas E. Anderson

Registration No. 37,063

TEA/OAF/dja

Hunton & Williams LLP
1900 K Street, N.W.
Washington, D.C. 20006-1109
Telephone: (202) 955-1500
Facsimile: (202) 778-2201

Date: August 17, 2005